FORM PTO-1390 (Modified) (REV 11-2000) OF COMMERCE PATENT AND TRADEMARK OFFICE (E) 1734 US TRANSMITTAL LETTER TO THE UNITED STATES U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR DESIGNATED/ELECTED OFFICE (DO/EO/US) 10/018979 CONCERNING A FILING UNDER 35 U.S.C. 371 PRIORITY DATE CLAIMED INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PCT/EP01/04694 26 April 2001 26 April 2000 TITLE OF INVENTION Muffler Device of a Motor Vehicle, With Variable Damping Characteristics APPLICANT(S) FOR DO/EO/US Schumacher et al Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 2. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include itens (5), (6), 3. (9) and (24) indicated below. The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) is attached hereto (required only if not communicated by the International Bureau). has been communicated by the International Bureau. c. 🗆 is not required, as the application was filed in the United States Receiving Office (RO/US). An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). \boxtimes is attached hereto. b. 🗆 has been previously submitted under 35 U.S.C. 154(d)(4). Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) are attached hereto (required only if not communicated by the International Bureau). a. 🗆 b. 🗆 have been communicated by the International Bureau. c. 🗆 have not been made; however, the time limit for making such amendments has NOT expired. d. 🗆 have not been made and will not be made. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). \boxtimes An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). An English language translation of the annexes to the International Preliminary Examination Report under PCT 10. Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

A copy of the International Search Report (PCT/ISA/210).

- 14. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- 15. A FIRST preliminary amendment.
- 16. \square A SECOND or SUBSEQUENT preliminary amendment.
- 17. A substitute specification.

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- 18. \Box A change of power of attorney and/or address letter.
- 19. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 1.825.
- 20. \square A second copy of the published international application under 35 U.S.C. 154(d)(4).

A copy of the International Preliminary Examination Report (PCT/IPEA/409).

- 21.
 A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- 23. Other items or information:

General Authorization to Charge Fees 4 sheets of formal drawings

U.S. APPLICATION NO OF KNOWN INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER PCT/EP01/04694 (E) 1734 US 24. The following fees are submitted:. CALCULATIONS PTO USE ONLY BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)...... \$100.00 **ENTER APPROPRIATE BASIC FEE AMOUNT =** \$890.00 Surcharge of \$130.00 for furnishing the oath or declaration later than □ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). \$0.00 **CLAIMS** NUMBER FILED **NUMBER EXTRA RATE** 20 \$18.00 40 \$360.00 Total claims -20 =\$84.00 \$0.00 Independent claims - 3 = Multiple Dependent Claims (check if applicable) \Box \$0.00 TOTAL OF ABOVE CALCULATIONS \$1,250.00 Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2. \$0.00 SUBTOTAL \$1,250.00 Processing fee of \$130.00 for furnishing the English translation later than □ 20 □ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). \$0.00 TOTAL NATIONAL FEE \$1,250.00 Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be X accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). \$40.00 TOTAL FEES ENCLOSED \$1,290.00 Amount to be: refunded \$ charged in the amount of ______to cover the above fees is enclosed. Please charge my Deposit Account No. b. in the amount of to cover the above fees. A duplicate copy of this sheet is enclosed. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment c. to Deposit Account No. 11-0665 A duplicate copy of this sheet is enclosed. \boxtimes Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. best Kestenbause SEND ALL CORRESPONDENCE TO: M. Robert Kestenbaum 11011 Bermuda Dunes NE Albuquerque, NM USA 87111 M. Robert Kestenbaum Phone (505) 323-0771 NAME Fax (505) 323-0865 20,430 REGISTRATION NUMBER December 18, 2001 DATE

10/018979

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 557 F6. Applicant(s): Schumacher et al			Do 1 181 DEC 2001 (E) 1734 US
Serial No. PCT/EP01/04694	Filing Date April 26, 2001	Examiner	Group Art Unit
Invention: Muffler Devi	ce of a Motor Vehicle, With Vari	able Damping Characteristics	
I hereby certify that the	e following correspondence:		
PCT Application for En	ntry into the National Stage as pe	r the Application Transmittal	
L	(Identify type	of correspondence)	
•	elope addressed to: The Assista	ce "Express Mail Post Office to Add	
		HULLIN O	
		Heidi M. Ortiz (Typed or Printed Name of Person Mailing (Signature of Person Mailing Corre. ET659740003US ("Express Mail" Mailing Label I	spondence)

Note: Each paper must have its own certificate of mailing.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re:

New US Patent Application corresponding to International Application

PCT/EP01/04694

Filed

April 26, 2001

Title Muffler Device of a Motor Vehicle, With Variable Damping Characteristic

Applicant

Schumacher et al

Attorney Docket

(E) 1734 US

Box PCT Commissioner for Patents Washington, DC 20231

General Authorization to Charge Fees

Dear Sir or Madam:

In accordance with Rule 1.136 (a) (3), please charge additional required fees which come due with respect to this application, including extension fees, and credit any overpayments to Deposit Account 11-0665.

Also, please provide extensions of time as required for timely receipt of concurrent or future correspondence and other documents submitted in this application and charge the appropriate extension fees to Deposit Account 11-0665

Respectfully submitted,

M. Robert Kestenbaum

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